

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

Senate Bill 164

BY SENATOR MAYNARD

[Introduced January 10, 2019; Referred
to the Committee on Energy, Industry and Mining; and
then to the Committee on the Judiciary]

1 A BILL to amend and reenact §64-3-1 of the Code of West Virginia, 1931, as amended, relating
 2 to authorizing the Department of Environmental Protection to promulgate a legislative rule
 3 relating to requirements for determining conformity of transportation plans, programs, and
 4 projects developed, funded, or approved under Title 23 U.S.C. or the Federal Transit Laws
 5 to applicable air quality implementation plans (transportation conformity).

Be it enacted by the Legislature of West Virginia:

**ARTICLE 3. AUTHORIZATION FOR DEPARTMENT OF ENVIRONMENTAL
 PROTECTION TO PROMULGATE LEGISLATIVE RULES.**

§64-3-1. Department of Environmental Protection.

1 The legislative rule filed in the State Register on July 24, 2018, authorized under the
 2 authority of §22-5-4 of this code, relating to the Department of Environmental Protection
 3 (requirements for determining conformity of transportation plans, programs, and projects
 4 developed, funded, or approved under Title 23 U.S.C. or the Federal Transit Laws, to applicable
 5 air quality implementation plans (transportation conformity), [45 CSR 36](#)), is authorized.

NOTE: The purpose of this bill is to authorize the Department of Environmental Protection to promulgate a legislative rule relating to requirements for determining conformity of transportation plans, programs, and projects developed, funded or approved under Title 23 U.S.C. or the Federal Transit Laws, to applicable air quality implementation plans (transportation conformity).

This section is new; therefore, strike-throughs and underscoring have been omitted.